KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Declaration of Emergency (List of districts under separate cover)

Applicable Statute or Regulation:

KRS 160.550

History/Background:

Existing Policy. KRS 160.550 provides that no superintendent shall recommend and no board member shall knowingly vote for an expenditure in excess of the income and revenue of any year, as shown by the budget adopted by the board and approved by the Kentucky Board of Education, except for a purpose for which bonds have been voted or in case of an emergency declared by the Kentucky Board of Education.

Audited school district Annual Financial Reports are due to KDE this year on November 17 and some school districts may end the year with a deficit balance. Detailed information regarding each of the school districts will be provided prior to the December KBE meeting.

The declaration of emergency requires the approval of the chief state school officer for any expenditure, authorization, employment, purchase or contract. The Office of District Support Services will provide on-site staff to ensure all required approvals are secured. Additionally, financial reviews will be conducted to assist districts in the identification and implementation of fiscally responsible practices. Results from the financial reviews will be presented to the Kentucky Board of Education at the February 2009 meeting.

Staff Recommendation(s) and Rationale(s):

Staff recommends enacting the declaration of emergency. Absent a declaration of emergency, the superintendent and local board members would be personally liable and subject to removal from office.

Impact on Getting to Proficiency:

It would be very difficult for any district to deliver an appropriate education to all students given the financial situation in these school districts.

Contact Person:

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Deputy Commissioner   **Commissioner of Education**

Date:

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